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Date: September 8, 2006

Date of Office Action: June 13, 2006

REMARKS

Claims 1-2 and 5 are amended. Claim 7 is cancelled. Claims 1-6 and 8-9 remain in the case.

Claims 1-3, 5 and 7 were rejected under 35 USC § 112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner noted various phrases that he deemed ambiguous or having insufficient antecedent basis. All of the phrases except for the term "offset laterally" have been corrected or eliminated to overcome the rejection under 35 USC § 112, 2nd paragraph. Regarding the term "offset laterally" in claim 1 the term has now been rewritten as "laterally offset" which indicates in the claim that the pivot point of the pendulum is laterally offset to the first and second toothings. The Examiner states that the term "offset laterally" is ambiguous since it is not related to adequately describe reference points. However, the pivot point of the pendulum is one reference point and the first and second toothings are the second reference point. Regarding claim 7 the term "outwidth" has been replaced with the term "exterior to" which is the correct translation for the German term "ausserhalb" from the PCT/EP 2003/008960. The restrictions of claim 7 are now included in independent claim 1. Therefore, the claims should overcome the 112 rejections.

Claim 1-9 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 4,298,116 by Niemeyer in view of U.S. Patent No. 5,777,302 by Nakagawa et al. The Examiner alleges that the switch member 20 in Niemeyer incorporates a cam 21 that is opposite the angled face of the chute 17 and makes the part of the coin insertion chute. The Examiner further states that although Niemeyer fails to disclose the switch member 20 as being detachable from the apparatus housing the use of such removable coins chute components is well known in the art. In support of his allegations the Examiner cites Nakagawa and states that he teaches a coin chute that incorporates a detachable rear plate member 4 that makes up a portion of the chute 1 and is evidence of detachable coin chute components.

The rejections of the claims 1-9 are traversed. The switching means 10 in Niemeyer and the switching device in the present invention each have pivotal movement upon

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not pivot and therefore does not provide the same features as the releasably connected switching arm in the present invention. Further, the problem addressed in Nagakawa is completely different to that of the present invention. In slot machines for which Nagakawa is applied where there is a necessity of changing the type of acceptable token in accordance with the change of the game. Therefore, an old token chute device had to be replaced in its entirety with a new token device having a different space width for a new acceptable token. Nakagawa patent discloses means to prevent such replacement and to provide a chute device which is applicable for various kinds of tokens. To this end, inner sidewalls spaced from one another are provided to define therebetween a space width to allow a largest among the plurality of sizes of tokens to past through the chute. Further, space width adjusting members are provided which may be inserted in engagement with one inner sidewall in order to adjust the side width to the corresponding token. To insert the token member, at least part of the sidewall (rear plate member) is detachably mounted to the main body. However, the rear plate member by Nakagawa is not a pivotal member as required in claims 1 and 2.

The coin chute of the present invention is designed for all kinds of sizes, i.e., the coin chute does not need to be adjusted. Therefore the problem addressed in Nakagawa does not exist in the present invention. Therefore no skilled person in the art would consider a Nakagawa patent when designing a coin chute with a movable arm as disclosed in the present invention. In summary, the present invention provides a switching arm that is movable or has pivotal movement that is also detachably connected to the housing and pendulum (claim2). Further, as amended in claim 1, the switching arm is pivotally mounted outside of the coin chute in the present invention which makes it easier for removal or adjustment in comparison to the switching arm located inside the coin chute of Niemeyer. These features are not shown or disclosed in the cited prior art. Therefore, claims 1 and 2 are believed to be allowable over the cited prior art. Inasmuch independent claim 1 is now allowable. Dependent claims 2-6 and 8-9 are also believed to be allowable.

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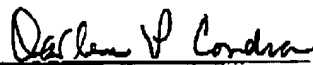
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This case is believed to be in condition for passing to issue. Such action is requested. If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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